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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/977,521	10/12/2001	David S. Allison	0007056-0204/P6024	3955

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HOUSTON, TX 77010

EXAMINER
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FOWLKES, ANDRE R

ART UNIT	PAPER NUMBER
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2192

DATE MAILED: 05/19/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

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## Office Action Summary

Application No.

09/977,521

Applicant(s)

ALLISON, DAVID S.

Examiner

Andre R. Fowlkes

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 1/13/05.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-6 and 11-18 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-6 and 11-18 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

**DETAILED ACTION**

1. This action is in response to the amendment filed 1/13/05.

***Claim Objections***

2. Claims 11-12 are objected to because of the following informalities: Claims 11-12 depend from canceled claim 7. In order to further prosecution of the application, the examiner is interpreting claims 11-12 as depending from claim 1. Appropriate correction is required.

***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-6 and 11-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over by Josuttis, "C++ Standard Library: A Tutorial and Reference", Addison Wesley, ISBN: 0-201-37926-0, in view of Christiansen, et al., (Christiansen), "Learning Perl", O'Reilly, ISBN: 1-56592-284-0.

As per claim 1, Josuttis discloses a **method for iterating in a dynamically typed programming language** (p. 1:1, "C++", and p. 2:10, "STL Iterators"), **comprising:**

- **providing an instance of a class** (p. 3:16, "multiset (class instance)"),
- **calling a special operator of said class** (p. 3:16, "bidirectional iterator (i.e. special operator of the multiset class"),

Josuttis doesn't explicitly disclose that **the class is written in a dynamically typed language**.

However, Christiansen, in an analogous environment, discloses that **the class is written in a dynamically typed language**, (p. 6:18, "used to increment the iterator (written in Perl, a dynamically typed language)")

Therefore, it would have been obvious to a person of ordinary skill in the art, at the time the invention was made, to incorporate the teachings of Christiansen into the system of Josuttis to have a the class written in a dynamically typed language. The modification would have been obvious because one of ordinary skill in the art would have wanted the flexibility of using the well known and well documented iterator while programming in any dynamically typed programming language.

As per claim 2, the rejection of claim 1 is incorporated and further, Josuttis discloses that **special operator return a list of values** (p. 4:3-4, "Input iterators can ... step forward element-by-element ... (and) return values element wise (a list of values)").

As per claim 3, the rejection of claim 2 is incorporated and further, Josuttis discloses **iterating through said list of values** (p. 4:3, "Input iterators can ... step forward (i.e. iterate through a list of values) element-by-element).

As per claim 4, the rejection of claim 3 is incorporated and further, Josuttis discloses that **said special operator is a foreach operator** (p. 14:3, "The for\_each() algorithm (i.e. special operator) is very flexible because it allows you to access, process, and modify each element in many different ways").

As per claim 5, the rejection of claim 1 is incorporated and further, Josuttis discloses that **said special operator is an increment operator** (p. 9:3-4, "Bidirectional iterators are forward iterators that provide the additional ability to iterate backward over the elements. Thus, they provide the decrement (and increment) operator").

As per claim 6, the rejection of claim 1 is incorporated and further, Josuttis discloses that **said special operator is a decrement operator** (p. 9:3-4, "Bidirectional iterators are forward iterators that provide the additional ability to iterate backward over the elements. Thus, they provide the decrement (and increment) operator").

Claims 11 and 12, currently depend from canceled claim 7. The examiner is interpreting claims 11 and 12 as depending from claim 1. As per claims 11 and 12,

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Josuttis also discloses such claimed limitations as addressed in claims 5 and 6 above, respectively.

As per claims 13-18, this is a computer program product version of the claimed method discussed above, in claims 1-6, wherein all claimed limitations have also been addressed and/or cited as set forth above. For example, see Josuttis's STL iterator, p. 3:1-9:4 and Christiansen's iterator, p. 6:18.

#### ***Response to Arguments***

4. Applicants arguments have been considered but they are not persuasive.

*In the remarks, the applicant has argued substantially that:*

- 1) Josuttis does not disclose the added limitations of amended claim 1, at p. 6:8-15.

*Examiner's response:*

- 1) The Josuttis/Christiansen combination disclose all of the limitations of amended claim 1, as described in the art rejection above.

#### ***Conclusion***

5. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP

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§ 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

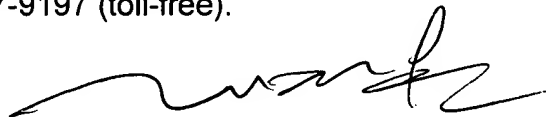
A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Andre R. Fowlkes whose telephone number is (571) 272-3697. The examiner can normally be reached on Monday - Friday, 8:00am-4:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tuan Q. Dam can be reached on (571)272-3695. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



**TUAN DAM**  
**SUPERVISORY PATENT EXAMINER**

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